

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

FARMINGTON PROFESSIONAL
FIREFIGHTERS, IAFF Local 2850

Plaintiff,
v. Civ. No. 05-1008 JAP/LAM

CITY OF FARMINGTON,

Defendant.

JUDGMENT

The Court held a bench trial on February 14, 2008. Plaintiff's second count, concerning Farmington Municipal Code § 21-12-11(b)(7), was resolved by agreement of the parties during the trial. In accordance with Federal Rule of Civil Procedure 52(a), the Court stated on the record findings of fact and conclusions of law at the end of the trial. Thereafter, the Court provided the parties with an opportunity to review the transcript and request changes or additions to the Court's findings and conclusions. Both parties indicated by letters dated April 7, 2008 that they had no objections or additions to the findings and conclusions announced by the Court.

Therefore,

JUDGMENT is entered in favor of Plaintiff in the form of a declaratory judgment that sections 21-12-11(b)(6), 21-12-11(b)(10), and 21-12-11(c) of the Farmington Municipal Code, as described in the Court's stated conclusions, violate Plaintiff's rights secured by the First Amendment to the United States Constitution, and Defendant is enjoined from enforcing these ordinances.



SENIOR UNITED STATES DISTRICT JUDGE